

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Davetta J. Samples

Docket No. 5:13-MJ-1824-1

Petition for Action on Probation

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Davetta J. Samples, who, upon an earlier plea of guilty to 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, Driving While Impaired - Level 5, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on September 10, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall surrender his/her North Carolina driver's license within 30 days to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for marijuana on October 8, 2013, and admitted to using marijuana on September 28, 2013. Increased reporting and urinalysis will be used to monitor any further drug use. In addition, it is requested that the drug aftercare condition be added to assist in monitoring for any further drug use.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

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1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

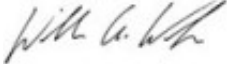
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: October 22, 2013

ORDER OF COURT

Considered and ordered this 23rd day of October, 2013, and ordered filed and made a part of the records in the above case.



William A. Webb
U.S. Magistrate Judge